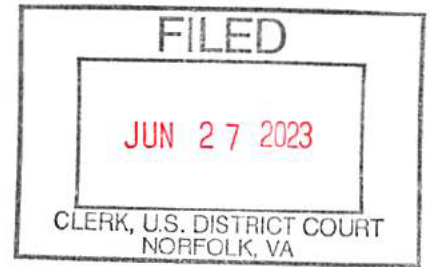


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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



IN THE MATTER OF THE ISSUANCE OF
A CRIMINAL COMPLAINT AND ARREST
WARRANT RE:

JAMES WENTWORTH

UNDER SEAL

Case No. 2:23-mj- 131

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT

I, Alexandria Evitts, being duly sworn, hereby depose and state:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent with the United States Department of Justice, Federal Bureau of Investigation (FBI). I have been employed by the FBI as a Special Agent since March 2018. As such, I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, § 2510(7). That is, I am an officer of the United States, who is empowered by law to conduct investigations regarding violations of United States law, to execute warrants issued under the authority of the United States, and to make arrests of the offenses enumerated in Title 18 of the United States Code. In the course of my duties, I am responsible for investigating crimes, which include, but are not limited to, child exploitation and child pornography. I have previously been involved in criminal investigations concerning violations of federal laws. Since joining the FBI, your affiant has received specialized training in human trafficking investigations, identifying and seizing electronic evidence, computer forensics, recovery of electronic files, electronic device imaging, and social media website investigations.

2. The facts in this affidavit come from my personal observations and information obtained from other investigators and witnesses. This affidavit is intended to show merely that

there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter. Rather, I have included only the facts that are sufficient to establish probable cause for the issuance of a criminal complaint and the issuance of an arrest warrant for the criminal violations described in more detail below.

STATUTORY AUTHORITY

3. This affidavit is submitted in support of an application for a criminal complaint and arrest warrant charging JAMES WENTWORTH (hereinafter, "WENTWORTH") with violations of Title 18, United States Code, Section 2422(b) (Coercion and Enticement of a Minor) and Section 1470 (Transfer of Obscene Material to a Minor).

4. Title 18, United States Code, Section 2422(b) makes it a federal criminal offense to use the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, to knowingly persuade, induce, entice, or coerce any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or to attempt to do so.

5. Title 18, United States Code, Section 1470 makes it a federal criminal offense to knowingly transfer or attempt to transfer obscene matter using the U.S. mail or any means or facility of interstate or foreign commerce to a minor under 16 years of age.

6. Virginia Code Section 18.2-370.1 prohibits any person 18 years of age or older who . . . maintains a custodial or supervisory relationship over a child under the age of 18 and is not legally married to such child and such child is not emancipated, from, with lascivious intent, knowingly and intentionally proposing that any such child feel or fondle the sexual or genital parts of such person or that such person feel or handle the sexual or genital parts of the child or from

proposing to such child the performance of an act of sexual intercourse . . . cunnilingus, fellatio . . . or any act constituting an offense under Section 18.2-361, or from proposing that any such child expose his or her sexual or genital parts to such person.

7. Virginia Code Section 18.2-371 prohibits any person 18 years of age or older, from engaging in consensual sexual intercourse or anal intercourse with, or performing cunnilingus, fellatio, or anilingus upon or by a child 15 or older not his spouse, child or grandchild. Virginia Code 18.2-371(D) prohibits any stepparent, grandparent, or step-grandparent from committing the above-referenced violation.

PROBABLE CAUSE

8. On or about April 24, 2023, the Portsmouth Police Department responded to a report of sexual abuse against a minor. Portsmouth Police detectives, with the assistance of Child Protective Services (CPS), interviewed JAMES WENTWORTH regarding the allegations. WENTWORTH disclosed that he engaged in multiple sex acts with [REDACTED] fifteen-year-old [REDACTED], Minor Victim 1, over a period of about a week and a half, beginning on or about April 12, 2023 . WENTWORTH explicitly acknowledged that Minor Victim 1 was fifteen years old at the time. WENTWORTH is 31.

9. WENTWORTH disclosed that he engaged in vaginal intercourse with Minor Victim 1 approximately six or seven times, engaged in oral sex with Minor Victim 1 approximately three or four times, and digitally penetrated Minor Victim 1 in Portsmouth at least 20 times. WENTWORTH also disclosed that he digitally penetrated Minor Victim 1 numerous times while transporting her to and from Virginia Beach. WENTWORTH further disclosed that he used a sex toy and restraints on Minor Victim 1.

10. Portsmouth and Virginia Beach are both within the Eastern District of Virginia.

11. Minor Victim 1 was forensically interviewed on April 25, 2023 and provided a detailed account of the sexual abuse. Minor Victim 1 described engaging in multiple sex acts with WENTWORTH. Minor Victim 1 was able to describe five instances in which she engaged in vaginal intercourse with WENTWORTH at her residence in Portsmouth (“the Portsmouth Residence”). On one of these occasions, Minor Victim 1 disclosed that WENTWORTH used red and black “velvety” handcuffs and a pink sex toy on her. Minor Victim 1 disclosed that on some occasions WENTWORTH ejaculated inside of her and other times he used the “pull-out method.” Minor Victim 1 further disclosed numerous instances during which WENTWORTH performed oral sex on her and at least three instances during which she performed oral sex on him. One of these occasions – the last time they had sex before WENTWORTH was arrested – they engaged in vaginal intercourse twice in the living room of the Portsmouth Residence. The second time, before WENTWORTH finished, he pulled out of Minor Victim 1’s vagina and “finished” in her mouth. Minor Victim 1 described this as “gross” and further disclosed that on previous occasions, while performing oral sex on WENTWORTH she “kept gagging.” Minor Victim 1 further described incidents during which WENTWORTH digitally penetrated her on car rides.

12. During WENTWORTH’s interview, Portsmouth Police asked about cameras located inside the Portsmouth Residence. WENTWORTH acknowledged that he had sex with Minor Victim 1 in the living room knowing the cameras were there. WENTWORTH, however, denied ever taking photos or videos.

13. On April 24, 2023, Portsmouth Police obtained a state search warrant for the Google security camera footage. The return revealed multiple videos capturing interactions between WENTWORTH and Minor Victim 1, both sexual and non-sexual in nature. Below is a description

of interactions between WENTWORTH and Minor Victim 1 captured on video that are sexual in nature:

- A. Title: **Video 3:** Is two minutes and 27 seconds in length and depicts WENTWORTH and Minor Victim 1. WENTWORTH is sitting on the living room couch and Minor Victim 1 appears to be performing oral sex. WENTWORTH occasionally places his hand on the back of Minor Victim 1's head as she moves her head up and down.
- B. Title: **Video 6:** Is two minutes and 44 seconds in length and begins with WENTWORTH and Minor Victim 1 on the living room couch. WENTWORTH is seen getting up and pulling his pants down. Minor Victim 1 then faces away from WENTWORTH with no pants on and the two engage in what appears to be vaginal sexual intercourse. At two minutes and 32 seconds Minor Victim 1 turns to face WENTWORTH and her butt is exposed to the camera.
- C. Title: **Video 9:** Is two minutes and five seconds in length and begins with Minor Victim 1 sitting on top of WENTWORTH then depicts WENTWORTH standing up and pulling his pants down to expose his penis. Minor Victim 1, who is laying on the couch, then appears to perform oral sex. WENTWORTH then crawls on top of Minor Victim 1 and the two engage in what appears to be vaginal sexual intercourse.

14. On April 24, 2023, the camera captured WENTWORTH scolding Minor Victim 1 about disclosing the sexual abuse to a third party. Specifically, WENTWORTH states, "so you

told [REDACTED] that you and I are fucking?” Minor Victim 1 replied, “Yeah, I couldn’t handle it, James.” Later in the conversation, WENTWORTH asked Minor Victim 1 what e-mail address she e-mailed [REDACTED] from, and then further asked if it was the same e-mail she used to communicate with him. Minor Victim 1 responded, “yeah, and then said, “all the e-mails are deleted.” WENTWORTH responded, “that doesn’t mean they’re actually gone.” In a second video, which appears to be a continuation of the same conversation between WENTWORTH and Minor Victim 1, WENTWORTH says, “if they dig up those e-mails I’ve sent you” . . . He then pauses for a moment, puts his head down, removes his glasses, and covers his face with his hand.

15. On May 16, 2023, Minor Victim 1’s mother informed law enforcement she discovered an e-mail address utilized by WENTWORTH to communicate with Minor Victim 1. She provided Google (gmail) account, lordxanderroc@gmail.com. On May 17, 2023, Portsmouth Police obtained a state search warrant for the “lordxanderroc” gmail account.

16. Gmail is a free web-based email service that requires use of the internet.

17. A review of the state search warrant return revealed that WENTWORTH and Minor Victim 1 exchanged numerous sexually explicit e-mails. The following is a sampling of e-mails sent **FROM** WENTWORTH **TO** Minor Victim 1 on April 18, 2023:

A. “Maybe you can go [REDACTED] and get that toy to use on yourself. Then send me an email telling me all about it. And I know I said no pictures or videos, but maybe you could send me a video of you masturbating and cumming.”

B. “I’m in the bathroom right now, stroking to the thought of fucking you, your arms and legs around me pulling me in deep not letting me out, your moaning

[REDACTED]

C. "Yeah I had the same thought after I hit send. I just finished and had amazing orgasm in your honor lol. I took a couple pictures of my dick, do you want them and is it safe to send? And you're sure they won't be flagged? Like just being on the screen they won't get flagged for nudity?"

18. WENTWORTH sent an e-mail TO Minor Victim 1 containing two attachments labeled, 20230418_130709.jpg and 20230418_130719.jpg. Both images depicted a white adult male's erect penis.

19. The following e-mails were sent between WENTWORTH and Minor Victim 1 on April 21, 2021:

A. "also, i just went and tested that magic wand on myself, and good god that was good. it made me cum in less than a minute. i cant wait to use it on you, you're gonna cum for sure"

B. [REDACTED]

C. "i wish i had bondage rope and bondage tape. i'd tie you down and restrain you so you can't move, then tape the wand over your clit and just leave you there for awhile. by the time i come back, your brain will be so melted from all the orgasms, you might not even be aware that im fucking you"

D. [REDACTED]
[REDACTED]

E. "i do know that while i dont have rope or tape, i can hold you down by your neck and choke you while holding the wand over your clit"

CONCLUSION

20. Based on the information and evidence set forth above, I respectfully submit that there is probable cause to establish that between on or about April 12, 2023 and April 24, 2023, within the Eastern District of Virginia and elsewhere, JAMES WENTWORTH violated Title 18 U.S.C. § 2422(b) which prohibits using a facility and means of interstate or foreign commerce to knowingly persuade, induce, entice, and coerce an individual who had not attained the age of 18 years, to engage in sexual activity for which a person can be charged with a criminal offense, including Va. Code §§ 18.2-370.1 (taking indecent liberties with child by person in custodial or supervisory relationship) and 18.2-371 (causing or encouraging acts rendering children delinquent, abused, etc.) and COUNT TWO: 18 U.S.C. § 1470, which prohibits using the mail or any facility of interstate or foreign commerce to knowingly transfer obscene matter to another individual who has not attained the age of 16 years, knowing that such individual has not attained the age of 16 years, or attempting to do so.

21. Accordingly, I request that a complaint and arrest warrant be issued charging JAMES WENTWORTH with such offenses.

Respectfully submitted,



Alexandria Evitts
Special Agent
Federal Bureau of Investigation

Sworn and subscribed to before me on
June , 2023 in Norfolk, Virginia.



UNITED STATES MAGISTRATE JUDGE

Douglas E. Miller

United States Magistrate Judge